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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 CLINDON VANDIVER,

9 Plaintiff,

10 v.

11 JO ANNE B. BARNHART,
12 Commissioner of Social Security,

13 Defendant

Civil No. C05-687-JLR

AMENDED ORDER

14
15 Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's
16 final decision be reversed and remanded for further administrative proceedings pursuant to
17 sentence four of 42 U.S.C. § 405(g). Upon remand to the Commissioner of Social Security, the
18 Appeals Council will remand this case to the administrative law judge¹ to (1) fully evaluate all
19 opinions of the treating and examining physicians, citing the bases for the evaluations; (2)
20 reevaluate Plaintiff's credibility in accordance with SSR 96-7p and related regulations; (3) fully
21 evaluate all of Plaintiff's impairments including bipolar disorder and hand impairments; (4) fully
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25 ¹This Amended Order is issued pursuant to Fed. R. Civ. P. 60(a) to correct a clerical error
26 in the original proposed order presented by Defendant and adopted by the Court, which stated
27 that the "Appeals Council will remand this case to a *different* administrative law judge. . ." Dkt.
#18 (emphasis added).

1 evaluate the diagnosis of personality disorder; (5) reassess Plaintiff's residual functional capacity;
2 and (6) obtain vocational expert testimony, if warranted. Plaintiff may present new arguments
3 and further medical evidence, if such evidence becomes available.
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5 This case is REVERSED and REMANDED on the above grounds pursuant to sentence
6 four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's
7 application for costs and attorney's fees under 28 U.S.C. § 2412(d).
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9 DATED this 3rd day of November, 2005.
10

11 s/James L. Robart

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JAMES L. ROBART
United States District Judge
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14 RECOMMENDED FOR ENTRY
15 this 1st day of November, 2005:
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/s/Monica J. Benton
18 MONICA J. BENTON
United States Magistrate Judge
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20 Presented by:

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